

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

193I0036

HOUSE HEALTH AND HUMAN SERVICES
COMMITTEE ENGROSSED NO. **HB 1088 -**
02/03/2003

Introduced by: Representatives Michels, Frost, Heineman, Hunhoff, Kraus, LaRue, Miles, Schafer, and Smidt and Senators Schoenbeck, Abdallah, Knudson, Moore, and Olson (Ed)

1 FOR AN ACT ENTITLED, An Act to establish a fund for the research of spinal cord and
2 traumatic brain injuries and to create an advisory council for the disbursement of the fund.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. There is established in the state treasury the spinal cord and traumatic brain injury
5 fund. Any liquidated costs collected pursuant to section 2 of this Act and any federal grants,
6 private donations, and other moneys designated for the spinal cord and traumatic brain injury
7 fund shall be deposited in the fund. The moneys in the fund shall be appropriated by the
8 Legislature to the Department of Health for the purpose of funding research projects that
9 promote the advancement of knowledge in the area of spinal cord and traumatic brain injury.
10 Notwithstanding § 4-8-21, any unexpended or unobligated moneys may not revert to the fund
11 from which appropriated.

12 Section 2. Any person convicted of a traffic violation having a penalty of a Class 2 or Class
13 1 misdemeanor shall, in addition to any other penalty, assessment, or fine provided by law, pay
14 a liquidated cost in the amount of five dollars, which shall be deposited in the spinal cord and



1 traumatic brain injury fund.

2 Section 3. There is created an advisory council on spinal cord and traumatic brain injury. The
3 advisory council shall be composed of nine members, two of which shall be individuals who have
4 a spinal cord injury and one who has had a traumatic brain injury. The balance of the advisory
5 council shall consist of physicians and other allied health professionals who have expertise in the
6 area of spinal cord and traumatic brain injuries. The secretary of the Department of Health shall
7 appoint the members. Terms on the advisory council shall be four years, with no member serving
8 more than two terms. Any member unwilling or unable to fulfill a term shall be succeeded by a
9 member chosen by the secretary to fulfill that term. If the unexpired balance of the replaced
10 member's term is less than eighteen months, the succeeding member may be reappointed by the
11 secretary twice. The advisory council shall provide advice and expertise to the department
12 regarding the disbursement of the funds in the spinal cord and traumatic brain injury fund.